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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,068	09/05/2003	Robert J. Levy	CHOP.0100.1	8339
110	7590	09/26/2006	EXAMINER	
DANN, DORFMAN, HERRELL & SKILLMAN 1601 MARKET STREET SUITE 2400 PHILADELPHIA, PA 19103-2307			PRIEBE, SCOTT DAVID	
			ART UNIT	PAPER NUMBER
				1633

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/656, 068

EXAMINER

Priebe, Scott

ART UNIT**PAPER**

1633

20060921

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. See MPEP 704.10-704.11(b). The information being requested below is necessary to determine the patentability under 35 USC 102 & 103 of new claims 68-70, which require that the denatured collagen be prepared at pH 3 and 100oC. The use of gelatin, which is partially hydrolyzed denatured collagen, for culture media is a very old method in the art, as is the preparation of gelatin by thermal denaturation under acidic conditions. The specific pH and temperature used in such preparation or whether gelatin culture plates were used is the type of information, that, if included in a publication, is not provided in printed or electronic database records of foreign patent or non-patent literature, such as Medline or Derwent. Consequently, the Office cannot perform a reasonable search of prior art containing this information

In response to this requirement, please provide the title, citation and copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing the method for preparing denatured collagen at pH 3 and 100oC for 1 hour and the culture plates containing the denatured collagen, as described in the specification on page 28, lines 8-11, and required in new claims 68-70. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In response to this requirement, please provide answers to each of the following interrogatories eliciting factual information:

- 1) How was the denatured collagen described on page 28 actually prepared, particularly what acid(s) was used to achieve pH 3, and what was its concentration? Were materials other than collagen and the acid present in the solution? If so, what other materials, including their amount or concentration?
- 2) Was the method used to prepare the denatured collagen and/or culture plates known and described in the prior art? If so, do the publication(s) requested above disclose the method, and where in the publication(s) is it described?

In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure

The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott D. Priebe, Ph.D. whose telephone number is (571) 272-0733. The examiner can normally be reached on M-F, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Nguyen can be reached on (571) 272-0731. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Scott D. Priebe, Ph.D.
Primary Examiner
Art Unit: 1633



RAM R. SHUKLA, PH.D.
SUPERVISORY PATENT EXAMINER